

REMARKS

In light of the above amendments and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-12 and new claims 13-18 are pending in this application. Claims 1-3, 6, 9 and 10 have been amended.

Claims 1-12 are rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,671,354 to Ito et al. The rejections are traversed for the following reasons.

Amended independent claim 1 is directed to a communication system with a plurality of client terminal devices and a communication server machine connected to a network. The communication server machine manages user information related to each client terminal device. The user information indicates the conditions under which the client terminal device connects to the network. The conditions include, at least a transmission band associated with the terminal device. (Emphasis added.)

In explaining the rejection, the Examiner appears to rely on col. 2, lines 27-41 to teach "user information... which indicates at least conditions under which each client terminal device is connected to the network." It is respectfully submitted that such portion of Ito does not teach conditions which include a transmission band as in amended claim 1. Instead, the portion of Ito relied upon by the Examiner to teach user information appears to disclose user authentication information which includes a user ID and a password. The user authentication information does not appear to include a transmission band.

Accordingly, amended independent claim 1 is believed to be distinguishable from Ito. For reasons similar to those described above with regard to claim 1, amended independent claims 2, 3, 6, 9, and 10 are believed to be distinguishable from Ito. Claims 4, 5, 7, 8, 11, and 12 depend from one of

claims 3, 6, and 10, and, at least due to such dependency, are believed to be distinguishable from Ito. Therefore, withdrawal of the above 35 U.S.C. §102 rejection is respectfully requested.

New claims 13-18 depend from one of the independent claims, and, at least due to such dependency, are believed to be allowable over the applied prior art.

Additionally, applicants respectfully request acknowledgement of applicants' claim for foreign priority based on foreign applications JP2001-044228 and JP 2002-034870.


Furthermore, applicants respectfully request consideration of the Information Disclosure statements filed on July 9, 2002 and July 7, 2004.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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